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ABSTRACT

In the last 3 decades, Congress has enacted a number of civil rights statutes that prohibit discrimination on the basis of race, gender, disability, and age in educational programs and activities receiving federal financial assistance. These laws represent a national commitment to end discrimination in education and mandate bringing the formerly excluded into the mainstream of American education. As efforts are continually geared toward effective enforcement of the civil rights laws, it is important to look at the impact of the laws on students facing discrimination who attend elementary and secondary schools, and colleges and universities. This fact sheet provides indicators of progress in removing racial, gender, disability, and age barriers to equal educational opportunity at the national, state, and local levels. Examples of progress include: the dropout rate of African-American students (age 16 to 24) declined from 20.5 percent in 1976 to 13.0 percent in 1996; the average score of females on the mathematics section of the Scholastic Assessment Test increased 23 points between 1982 and 1998; in the 1994-95 school year, the percentage of disabled students served in regular classrooms increased 20 percent from 1984; and the number of higher education students age 35 or older, rose from 783,000 in 1972 to 2,778,000 in 1996. (JMD)

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Impact of the Civil Rights Laws

U.S. Department of Education
Office for Civil Rights

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U.S. DEPARTMENT OF EDUCATION
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IMPACT OF THE CIVIL RIGHTS LAWS

U.S. Department of Education
Office for Civil Rights

January 1999

INTRODUCTION

In the last three decades, Congress has enacted a number of civil rights statutes prohibiting discrimination in educational programs and activities receiving federal financial assistance. These statutes are: Title VI of the Civil Rights Act of 1964 (prohibiting race, color, and national origin discrimination); Title IX of the Education Amendments of 1972 (prohibiting sex discrimination); Section 504 of the Rehabilitation Act of 1973 (prohibiting disability discrimination); Title II of the Americans with Disabilities Act of 1990 (prohibiting disability discrimination by public entities); and the Age Discrimination Act of 1975 (prohibiting age discrimination).

The civil rights laws represent a national commitment to end discrimination in education. The laws mandate bringing the formerly excluded into the mainstream of American education. And these laws also are designed to help deliver the promise that every individual has the right to develop his or her talents to the fullest.

The federal civil rights laws have helped bring about profound changes in American education and improved the educational opportunities of millions of students. Many barriers that once prevented minorities, women, individuals with disabilities, and older persons from freely choosing the educational opportunities and careers they would like to pursue have been eliminated. As we continue to work for the effective enforcement of the civil rights laws, it is important that we also look at the impact of the laws on students facing discrimination who attend our elementary and secondary schools and colleges and universities.

This fact sheet was undertaken to provide useful information about the impact of the civil rights laws, along with other efforts at the national, state, and local level, in bringing about equal access and opportunity for **all** students.

There is no single research or data base that provides comprehensive information on the impact of the civil rights laws. However, there is information from a variety of sources that indicates progress in removing barriers to equal educational opportunity.

Removing Racial Barriers to Educational Opportunity

- Dropout rate of African American students (age 16 to 24) declined from 20.5 percent in 1976 to 13.0 percent in 1996. [*Dropout Rates in the United States:* 1996, table A23, page 58.]

- High school graduation rates among African Americans have increased substantially in the past 20 years and drawn much closer to the high school graduation rate of whites. [Bureau of the Census, *Educational Attainment in the United States: March 1997* (unpublished), table A-2, page A-9.]

- In 1990, 66.2 percent of African Americans age 25 and over had completed high school. In 1997, 74.9 percent of African Americans age 25 and over had completed high school. [*Ibid.*]

- Overall student participation in advanced placement (AP) classes has increased dramatically since 1982, rising from 140,000 to 400,000 in 1997 high school graduates. Especially impressive is the growth in participation of minority students. In 1997, the percent of AP candidates who were minority students was 29 percent, compared to 11 percent in 1982. [Secretary Richard Riley: *Second Annual State of American Education Address*, February 1, 1995; and *News from the College Board*, August 26, 1997, page 7.]

- Student performance on the National Assessment of Educational Progress (NAEP) has increased in science, math, and reading, recovering most of the ground lost in the 1970s. The gap in performance between white and African American students has narrowed substantially since the 1970s. [*NAEP 1996 Trends in Academic Progress*, pages V, XIV, and XV.]

- Minority participation on the Scholastic Assessment Test (formerly the Scholastic Aptitude Test, or SAT) has increased. In 1998, minority students were 33 percent of all graduating seniors who took the SAT, compared to 23 percent in 1988. [*News from the College Board*, September 20, 1988, and September 1, 1998.]

- Math and verbal SAT scores increased across almost all race/ethnic groups from 1987 to 1998. For example, the average SAT score of Asian American students increased 19 points on the verbal section and 21 points on the mathematics section. The average score for American Indian students increased 9 points on the verbal section and 20 points on the mathematics section. The average score for African American students increased 6 points on the verbal section and 15 points on the mathematics section. All of these increases exceeded those achieved by white students. [*News from The College Board*, August 26, 1997; and *1998 College-Bound Seniors, National Report*.]

- Total minority enrollment at colleges and universities increased 61 percent between fall 1986 and fall 1996. [*Enrollment in Higher Education: Fall 1986 Through Fall 1994*, table 2, page 5; and unpublished data.]

- Since 1990, the number of Latino students enrolled in higher education increased by 47 percent; the number of African American students increased by 20 percent; and the number of American Indian students increased by 30 percent. [*Ibid.*]

- 60 percent of African American high school graduates (class of 1997) enrolled in college (2-year and 4-year colleges) immediately after their high school graduation. A decade earlier, only 52 percent of African American high school graduates went on to college without a break in their education. [*Digest of Education Statistics*, 1997 edition, table 183, page 194; and news release from the Bureau of Labor Statistics, May 1, 1998, page 4.]

- 65 percent of Latino high school graduates (class of 1997) enrolled in college (2-year and 4-year colleges) immediately after their high school graduation. A decade earlier, about 45 percent of Latino high school graduates went on to college without a break in their education. [*Ibid.*]

- 10.5 percent of all college students (undergraduate, graduate, and professional education) were African American in fall 1996. Four years earlier, only 9.6 percent of all college students were African American. [unpublished data from the survey of *Fall Enrollment in Postsecondary Education*, 1996.]

- 8.1 percent of all college students (undergraduate, graduate, and professional education) were Latino in Fall 1996. Four years earlier, only 6.6 percent of all college students were Latino. [*Ibid.*]

- The percentage of African Americans age 25 and over who held bachelor's degrees increased from 11.3 percent in 1990 to 13.3 percent in 1997. [Bureau of the Census, *Educational Attainment in the United States: March 1997* (unpublished), table A-2, page A-9.]

- The number of bachelor's degrees in engineering awarded to African Americans increased 75 percent from 1981 to 1996, while total bachelor's degrees awarded in engineering only increased by 3.1 percent. [*Digest of Education Statistics*, 1985-86 edition, table 116, page 134; and *Degrees and Other Awards Conferred by Degree-Granting Institutions: 1995-96*, table 4b, page 15.]

- African American students were awarded 1,563 doctorates in 1996. This represents a 48 percent increase since 1987. [*Digest*, 1997 edition, table 271, page 301; and *Degrees and Other Awards*, table 4d, page 21.]

Removing Gender Barriers to Educational Opportunity

- A similar percentage of high school females and males (class of 1994) had taken algebra (68 percent for females; 65 percent for males), geometry (72 percent for females; 68 percent for males) and calculus (9 percent). [*The Condition of Education*, 1996 edition, page 100.]

- Average score of females on the mathematics section of the Scholastic Assessment Test increased 23 points between 1982 and 1998. During the same period, the average score of male students increased 15 points. [*News from the College Board*, September 1, 1998.]

- The Third International Mathematics and Science Study (1996) reported no significant differences in scores of American eighth grade female and male students. [Third International Mathematics and Science Study, *Mathematics Achievement in the Middle School Years*, page 52; and *Science Achievement in the Middle School Years*, page 33.]

- The number of females participating in high school sports increased from 294,000 in 1971 to over 2.4 million in 1996-97. Today, 39 percent of all high school athletes are females. [Data obtained from National Federation of State High School Associations, published in *Federal Register*, December 11, 1979, vol. 44, page 71419; and *New York Times*, December 16, 1996.]

- Today, more than 125,000 women participate in intercollegiate athletics. This represents a fourfold increase since 1971, when 31,852 women participated in intercollegiate athletics. [*Intercollegiate Athletics: Status of Efforts to Promote Gender Equity* (U.S. General Accounting Office/HEHS-97-10, October 25, 1996), page 1; *Federal Register*, December 11, 1979, page 71419; and NCAA Study, April 15, 1998.]

- In 1972, women constituted 15 percent of college student athletes. By 1992, women constituted 34 percent of college student athletes. Since then, there has been an annual rate of increase of about 1 percent so that by 1995 women's participation rate had increased to 37 percent. [*Intercollegiate Athletics*, page 13.]

- Average number of women's teams increased 6 percent from 1992-1996 in all three National Collegiate Athletic Association (NCAA) divisions. In NCAA Division I-A, 40 percent of colleges added a women's team in the last three years and 59 percent of colleges planned to add at least one women's team in the next three years. [*Op. cit.*, pages 13, 28, and 31.]

- By 1997, 26 percent of young men and 29 percent of young women had earned at least a bachelor's degree. In 1970, about 13 percent of young women, compared to 20 percent of young men, had earned at least a bachelor's degree. [Bureau of the Census, *op. cit.*, table 18, pages A-10 and A-11.]

- We are witnessing a dramatic increase in the number of women entering traditionally male dominated professional fields. [*Digest*, 1997 edition, table 260, page 290.]

- When Title IX was enacted in 1972, 9 percent of professional degrees awarded in medicine went to women; in 1996, 41 percent of M.D. degree recipients were women. [*Ibid.* and *Degrees and Other Awards Conferred by Degree-Granting Institutions: 1995-96*, table 1a, page 8.]

- In 1972, women earned only 1 percent of professional dental degrees - in 1996, women received 36 percent. [*Ibid.*]

- Women in 1996 accounted for 43 percent of professional law degrees, up from 7 percent in 1972. [*Ibid.*]

- Women today earn almost two-thirds of professional degrees awarded in pharmacy and veterinary science. [*Degrees and Other Awards*, table 1a, page 8.]

- In 1971, only 14 percent of doctoral degrees went to women - in 1996 that figure increased to 40 percent. Also, the number of women earning doctorates continues to increase. For example, in 1996, women received 17,811 doctorates compared to 17,540 doctorates in 1995. [*Digest*, table 244, page 261; and *Degrees and Other Awards*, table A-1, page V.]

- There has been a significant increase in women faculty at colleges and universities. In 1972, women constituted 24.5 percent of full-time/part-time faculty. By 1995, women constituted 39.6 percent of full-time/part-time faculty. [*Digest of Education Statistics*, 1975 edition, table 94, page 91; and *Fall Staff in Postsecondary Institutions, 1995*, table B-1a, page B-3.]

Removing Disability Barriers to Educational Opportunity

- In 1975, over 1 million children with disabilities were excluded from public school. Another 4 million children with disabilities, while attending school, were not receiving educational services they needed - either because their disabilities were undetected or because schools did not offer the services they needed. Virtually no disabled preschoolers received services. [Files of the Office for Civil Rights.]

- Today, 5.6 million children are served under the Individuals with Disabilities Education Act (IDEA). This federal law, along with other federal disability laws, has meant the difference between exclusion and participation, between dependence and independence, between lost potential and learning. [*Nineteenth Annual Report to Congress on the Implementation of the Individuals with Disabilities Education Act*, 1997, page A-1.]

- In 1984, only one-fourth of students with disabilities were served in regular classrooms for at least 80 percent of the school day. In the 1994-95 school year, 45 percent of students with disabilities, about 2.4 million students, were being served in regular education classes. [*Nineteenth Annual Report*, 1997, page A-46.]

- More than 87 percent of students with speech or language impairments were in regular classes during the 1994-95 school year. The information was collected by state education agencies and reported to the U.S. Department of Education, Office of Special Education Programs. [*Op. cit.*, page A-53.]

- More than 32 percent of students exiting special education graduated from high school with either a diploma or certificate during the 1994-95 school year. The information was collected by state education agencies and reported to the U.S. Department of Education, Office of Special Education Programs. [*Op. cit.*, page A-180.]

- Since the enactment of IDEA in 1975, 90 percent fewer developmentally disabled children are living in institutions. [President Clinton: signing ceremony for Individuals with Disabilities Education Act, June 4, 1997.]

- In 1978, 2.6 percent of full-time/first-time college freshmen reported a disability. In 1996, it increased to 9 percent (more than 140,000). This means the number of persons with disabilities going to college has more than tripled. ["Profile of 1996 College Freshmen with Disabilities," Information from HEATH electronic newsletter, American Council on Education/HEATH Resource Center, 1998.]

- In 1996, of full-time/first-time college freshmen reporting a disability, 35 percent reported having a learning disability, compared to 15 percent who reported a learning disability in 1988. [*Ibid.*]

- More than 800,000 students with disabilities, including part-time students with disabilities, are enrolled in all levels of higher education. This represents approximately 6 percent of undergraduate enrollment and 4 percent of graduate and professional enrollment. [*Postsecondary Students with Disabilities: Where Are They Enrolled?* American Council on Education Research Brief Series, vol. 6, #6, 1995.]

- Degree aspirations of students with disabilities are similar to those of students without disabilities. For example, 26 percent of 1996 college freshmen with disabilities planned to obtain a doctorate or professional degree, compared with 28 percent of college freshmen without disabilities. [*College Freshmen with Disabilities: A Statistical Profile*, American Council on Education/HEATH Resource Center, 1995; and "Profile of 1996 College Freshmen with Disabilities: Working Paper," unpublished, American Council on Education/HEATH Resource Center, 1998.]

- Many young people with significant disabilities who were previously thought unemployable are working in competitive jobs as a result of the education they received through enforcement of the federal statutes. This contrasts with the situation in the mid-1970s. At that time, only 33 percent of people with disabilities were employed within 5 years of leaving school. Nearly 60 percent of young men and women with disabilities are now employed. [information obtained from public affairs files of the Office for Civil Rights.]

- The percent of individuals with severe disabilities who held jobs increased from 23.3 percent in 1991 to 26.1 percent in 1994. This represents an increase of about 800,000 jobs. [*Washington Post*, July 26, 1996.]

Removing Age Barriers to Educational Opportunity

- There were more than three and one-half times as many college students age 35 and over in 1996 as in 1972. [Bureau of the Census, *School Enrollment-Social and Economic Characteristics of Students: October 1996* (unpublished), table A-6, page A-26.]

- The number of students in higher education age 35 and over increased from 783,000 in 1972 to 2,778,000 in 1996. [*Ibid.*]

- In 1972, students age 35 and over comprised 8.6 percent of total enrollment in higher education. In 1996, 18.2 percent of the students were 35 and above. The number of these older students has increased at a faster rate than the enrollment in most other age groups. [*Ibid.*]

- In 1995, students age 40 and above accounted for 10 percent of undergraduate students, 23 percent of graduate students, and 6 percent of professional students. [*Digest*, 1997 edition, table 175, page 185.]

- Older students tend to make better grades than younger students. In 1995-96, 30 percent of undergraduate students age 40 and above received mostly A's in their courses compared with only about 7 percent of students age 23 and below. [*Profile of Undergraduates in U.S. Postsecondary Education Institutions: 1995-96*, table 3.3, page 75.]